

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting Minutes
November 7, 2012**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Suellen Soucek, Joan Martin, Carey Baxter, Greg Thury (6).

Town Plan Commission members absent: Larry Whalen (1).

Public Present: Mike Starck, Dave Thomas, Paul Brummer, Charlie Meech, Pete Clark, Jim Patterson (6).

Town Staff Members Present: Jen Croonborg-Murphy, Zoning Administrator, Margaretta Kusch, ZCA (2).

I. Call to Order/Roll Call

Chair Pallas called the Meeting to order at 4:30 PM at the La Pointe Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

M. Starck says that he can answer any questions when item VI on the agenda comes up.

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Regular Monthly Meeting, October 17, 2012.

G. Thury moves to approve the Town Plan Commission Regular Monthly Meeting minutes of October 17, 2012 as submitted. S. Soucek seconds. All in favor, 6 aye. Motion carries.

IV. Zoning Administrator's Report

There are notices for a number of upcoming training events the Zoning Administrator recommends Town Plan Commission members attend if possible. Travel expenses would be covered as they are budgeted in to the zoning budget.

V. Consideration and/or Action of Permit Applications

a. Gagnon re: Certified Survey Map at 1878 North Shore Road, LP #014-00068-1200.

The Zoning Administrator reports that this map has been in the works for two years. At this point, the property owners have decided to move forward with it, and she sees no issues with the Certified Survey Map except that the County review has not been completed.

C. Brummer moves to recommend to the Town Board approval of the Gagnon Certified Survey Map at 1878 North Shore Road, LP #014-00068-1200, pending Ashland County review. S. Soucek seconds. All in favor, 6 aye. Motion carries.

b. Craftivity, Inc. re: 3 new seasonal student housing cabins at 978 Middle Rd., LP # 014-00178-0200.

This application is for three new student housing cabins that were approved in the 2012 Craftivity, Inc. Conditional Use Permit amendment. The DNR representative, Alyssa Core, has noted concern that the wetlands shown on the application (from 2008) don't match the actual boundaries as shown in the correct wetlands delineation. The wetlands boundaries are hard to assess as the area has been hayed and there is not much in the way of elevation change, necessitating soil testing to identify them, so the DNR and the Zoning Administrator would like to see these boundaries shown on the application and to see the

correct wetland boundaries physically flagged at the site. The sanitary permit has not been issued yet because the wetland boundaries have to be identified for the water and sewer lines to be properly placed.

The Zoning Administrator asks whether she could issue the permit on the condition that the proper wetland boundaries are shown and physically flagged, before the DNR approves the application. Chair Pallas responds that he wants to see the completed application before allowing the Zoning Administrator to issue the permit. If the property owner is concerned about timelines for construction work, he can request and pay for a special meeting to have the permit approved.

Chair Pallas notes that this application is only for foundations for the three cabins. He asks whether there will be another permit application for the remainder of the construction. The Zoning Administrator notes that a timetable of development was never requested for the project.

As stated in the Ordinance, "where the Town Board has approved or conditionally approved an application for a conditional use, such approval shall automatically become null and void within twelve months of the date of the issuance of the Conditional Use Permit unless the use is commenced, construction is underway, or the current owner possesses a valid Land Use Permit for each building and/or structure contemplated. Construction under such Land Use Permit(s) shall be commenced within six months of issuance and shall be substantially complete upon permit expiration."

C. Baxter states that he's concerned that the Conditional Use Permit parking requirements be met. There are to be two parking spaces per unit.

After discussion, the Town Plan Commission agrees that there are to be forty-two parking spaces at the property (for the 3 existing cabins and the 3 proposed ones). These spaces are in addition to the existing spaces for the other existing structures (the "milkhouse," "farmhouse," barn-like structure," and "stable").

Chair Pallas moves that because this permit is incomplete, we need a proper plot plan showing all the wetland areas and boundaries and those boundaries need to be physically flagged. The six student cottages need to have a total of forty-two off-street parking spots as per Ordinance. S. Soucek seconds. All in favor, 6 aye. Motion carries.

VI. New Business

a. JH Property Trust/Hawkeye Investment Conditional Use Permit application at 1230 Big Bay Road, LP #014-00136-0100.

This application is for a Home Occupation (normally permitted in the zoning district, but this specific Home Occupation requires a Conditional Use Permit as it is proposed to be housed in a building other than the primary dwelling). The Zoning Administrator states that the application is complete.

C. Brummer notes that the proposed building plans have a shower along with a toilet. He is concerned that the proposed building could be used as a guest house. There is agreement that this is an issue to be discussed during the Public Hearing/decision meeting.

The Public Hearing for this Conditional Use Permit application is to be held Wednesday, November 28th, 2012, at 5:00 pm.

VII. Old Business

a. Application forms for review and approval

- **Rental of Principal Dwelling**
- **Rental of Accessory Dwelling**
- **Petition for Ordinance/Map Change**

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The Zoning Administrator requests that review of these application forms be taken off the agenda until such time as they're ready for review.

VIII. Future Agenda Items

- Discuss Zoning Ordinance section 13.7.2.L, regarding Conditional Use Permit expiration and extensions and the meaning of “substantial completion.”

IX. Schedule Future Meetings

- Next Regular Monthly Meeting to be held Tuesday, Nov. 20, 2012, at 4:30 pm.
- Public Hearing to be held Wednesday, Nov. 28, 2012, at 5:00 pm.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:15 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Thursday, November 08, 2012.

Town Plan Commission minutes approved as amended Tuesday, November 20, 2012.